

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA

- v. -

10 Cr. 1217 (KMW)

ORDER

PETER GHAVAMI, GARY HEINZ, and
MICHAEL WELTY

Defendants.

-----x

WHEREAS, Defendant Peter Ghavami's bail conditions in the above-captioned matter included the execution of a \$10,000,000 personal recognizance bond (the "PRB"), cosigned by five financially responsible persons and secured by \$1,000,000 in cash and \$6,000,000 in property; and

WHEREAS, in connection with satisfying the bail conditions, on December 13, 2010 Ghavami posted \$1,000,000 in cash (Receipt No. E 923446) with the Clerk of the Court for the Southern District of New York (the "\$1,000,000 Cash"); and

WHEREAS, in connection with satisfying the bail conditions, Ghavami's wife, Julie Britton, executed (and filed in the New York County Clerk's Office) an Affidavit of Confession of Judgment sworn to on December 10, 2010 authorizing foreclosure on the following three properties in the event Ghavami failed to comply with the conditions of his bail bond (collectively, the "Real Property"):

- a. 342 W. 85th Street, Apt. 3C, New York, New York, including:
 - i. Block 1246, Lot 1010, Entire Lot.
- b. 38 Warren Street, Apt. 6B, New York, New York, including:

- i. Block 136, Lot 1116, Entire Lot.
- c. 38 Warren Street, Apt. 6C, New York, New York, including:
 - i. Block 136, Lot 1117, Entire Lot; and

WHEREAS, following his conviction, Ghavami was sentenced on July 24, 2013 to a term of incarceration of 18 months and required to pay a criminal fine of \$1,000,000, and the sentence was reduced to a Judgment entered on August 9, 2013; and

WHEREAS, on September 10, 2013, Ghavami surrendered to the custody of the Bureau of Prisons to begin serving his sentence:

IT IS THEREFORE ORDERED THAT:

1. Pursuant to Rule 46(g) of the Federal Rules of Criminal Procedure, the conditions of the bail bond for Ghavami have been satisfied, and all obligors on the PRB are hereby EXONERATED, and the property posted as security (including the \$1,000,000 Cash and the Real Property) is hereby RELEASED; and
2. The Clerk of the Court for the Southern District of New York is directed to retain the \$1,000,000 Cash previously posted as part of Ghavami's bail and immediately apply the \$1,000,000 to fully satisfy the criminal fine of \$1,000,000 that Ghavami was sentenced to pay pursuant to the Judgment entered on August 9, 2013.

SO ORDERED:

Dated: New York, New York
September 23, 2013

Kimba M. Wood
Kimba M. Wood
United States District Judge